

**ALLEGED SHIPMENT:** On or about November 7, 1947, to Halifax, Nova Scotia, and reshipped on or about March 11, 1948, to Philadelphia, Pa. The shipment was unclaimed at destination.

**PRODUCT:** 15 cases, each containing 24  $7\frac{8}{10}$ -ounce cans, of crab meat at Philadelphia, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance, and it was unfit for food by reason of the presence of decomposed and disintegrated crab meat. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** August 7, 1951. Default decree of condemnation and destruction.

## FRUITS AND VEGETABLES\*

### CANNED FRUIT

**17826. Adulteration of canned black raspberries. U. S. v. 48 Cases \* \* \*.**  
(F. D. C. No. 28996. Sample No. 43324-K.)

**LIBEL FILED:** May 4, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 22, 1949, by Michigan Fruit Cannery, Inc., from Benton Harbor, Mich.

**PRODUCT:** 48 cases, each containing 24 15-ounce cans, of black raspberries at Freeport, Ill.

**LABEL, IN PART:** (Can) "Dolly Madison Brand Michigan Black Raspberries."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rotten berries.

**DISPOSITION:** October 15, 1951. Default decree of condemnation and destruction.

### DRIED FRUIT

**17827. Adulteration of figs. U. S. v. 50 Cases \* \* \*.** (F. D. C. No. 30545.  
Sample No. 24856-L.)

**LIBEL FILED:** February 12, 1951, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 10, 1950, from Fresno, Calif.

**PRODUCT:** 50 cases, each containing 24 12-ounce boxes, of figs at Sunbury, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of sour and moldy figs. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 15, 1951. Default decree of condemnation and destruction.

### FROZEN FRUIT

**17828. Adulteration of frozen strawberries. U. S. v. 3,380 Cans \* \* \*.**  
(F. D. C. No. 29917. Sample Nos. 84738-K, 84740-K, 84844-K, 84847-K, 84848-K.)

**LIBEL FILED:** October 4, 1950, Southern District of Ohio.

\*See also No. 17813.

**ALLEGED SHIPMENT:** On or about June 1 and 2, 1950, by Brown's Frosted Foods, Inc., from Franklin, Ky.

**PRODUCT:** 3,380 30-pound cans of frozen strawberries at Cincinnati, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of rotten berries.

**DISPOSITION:** February 6, 1951. Brown's Frosted Foods, Inc., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered. The decree provided that the product might be released under bond for separation of the fit portion from the unfit. However, 3,320 cans which actually were seized were destroyed.

#### VEGETABLES\*

**17829. Misbranding of mushrooms. U. S. v. Patsy Bartogli & Son. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 31094. Sample No. 25244-L.)**

**INFORMATION FILED:** June 6, 1951, Eastern District of Pennsylvania, against Patsy Bartogli & Son, a partnership, Avondale, Pa.

**ALLEGED SHIPMENT:** On or about March 7, 1951, from the State of Pennsylvania into the State of New Jersey.

**LABEL, IN PART:** (Basket) "Special Mushrooms 3 Lb. Net."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the baskets contained less than the declared weight of 3 pounds.

**DISPOSITION:** September 24, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$50.

**17830. Adulteration of canned black-eyed peas. U. S. v. Thomas & Drake Canning Co. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 31131. Sample No. 78016-K.)**

**INFORMATION FILED:** August 13, 1951, Eastern District of Oklahoma, against the Thomas & Drake Canning Co., a partnership, Haskell, Okla.

**ALLEGED SHIPMENT:** Within the period from on or about July 26 to on or about October 5, 1950, from the State of Oklahoma into the State of Tennessee.

**LABEL, IN PART:** (Can) "Prepared From Fresh Green Shelled Black Eye Peas \* \* \* Packed By Thomas & Drake Canning Co., Haskell, Oklahoma."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects and insect parts.

**DISPOSITION:** December 5, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$50.

#### TOMATOES AND TOMATO PRODUCTS

**17831. Adulteration and misbranding of canned tomatoes. U. S. v. 659 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 29752, 29782. Sample Nos. 66951-K, 81893-K.)**

**LIBELS FILED:** October 2 and 3, 1950, Middle and Western Districts of North Carolina.

\*See also No. 17813.